



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

EGM 01-001

April 3, 2001

MEMORANDUM TO: Hubert J. Miller, Regional Administrator, Region I
Luis A. Reyes, Regional Administrator, Region II
James E. Dyer, Regional Administrator, Region III
Ellis W. Merschoff, Regional Administrator, Region IV
R. W. Borchardt, Associate Director for Inspection
and Programs, NRR
Brian W. Sheron, Associate Director for Project Licensing
and Technical Analysis, NRR
Michael F. Weber, Director, Division of Fuel Cycle Safety
and Safeguards, NMSS
Donald A. Cool, Director, Division of Industrial and Medical
Nuclear Safety, NMSS
John T. Greeves, Director, Division of Waste Management, NMSS
E. William Brach, Director, Spent Fuel Project Office, NMSS

FROM: Frank J. Congel, Director **/RA/**
Office of Enforcement

SUBJECT: ENFORCEMENT GUIDANCE MEMORANDUM - INTERIM
GUIDANCE FOR ENFORCEMENT OF 10 CFR 73.55(a)

The purpose of this memorandum is to notify you that in accordance with the Staff Requirements Memorandum dated January 25, 2001, (attached) the staff is to refrain from taking enforcement actions pursuant to 10 CFR 73.55(a) based on force-on-force exercise findings at this time. This does not preclude issuing enforcement pursuant to the provisions of 10 CFR 73.55(b) through (h) should such violations be identified. This enforcement guidance memorandum (EGM) does not prevent the documentation and significance determination of any inspection findings resulting from force-on-force exercises. Inspection reports are expected to document findings.

However, there should be no discussion of violations against, or discretion from the requirements of 73.55(a) until this EGM is withdrawn.

Should safeguards findings outside the force-on-force exercise arena require consideration of any enforcement (e.g. NCV, NOV, order) under 73.55(a), such proposed actions must be coordinated with the Office of Enforcement.

If you have any questions, contact Jennifer Dixon-Herrity at 301-415-1980 or e-mail (JLD).

cc: The Chairman
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
W. Travers, EDO
W. Kane, DEDR
C. Paperiello, DEDMRS
J. Craig, OEDO
S. Collins, NRR
M. Johnson, NRR
G. Tracy, NRR
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SECY